

REMARKS

I. Objection to Claims

Claim 14 stands objected to for insufficient antecedent basis in the language of the claim. By this amendment, claim 14 has been amended in accordance with the Examiner's suggestions. Accordingly, Applicant respectfully submits that the objection to the claim has been overcome.

II. Rejection under 35 U.S.C. § 112

Claims 2-7 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Regarding claims 2 and 4, the Office Action stated that the language of the claims was unclear. By this amendment, claims 2 and 4 have been amended in accordance with the Examiner's helpful suggestions. Applicant respectfully submits that the rejections of claims 2 and 4 have therefore been overcome.

Regarding claim 3, the Examiner stated that it is unclear which lifting devices are displaceable synchronously. Claim 3 has been cancelled by this amendment. However, the subject matter of claim 3 has been incorporated into amended claim 1. Amended claim 1 recites the limitation "means for a synchronous displacement of the lifting drive for the vehicle platform and of the lifting drive for the second lifting stage of the axle measurement lifting device." Applicant respectfully submits that the language of amended claim 1 is clear, and that the rejection is therefore overcome.

Claims 5-7 stand rejected under 35 U.S.C. § 112, second paragraph, due to their dependence on rejected base claims 3 and 4. Applicant respectfully submits that these claims should now be allowable due to the amendments of the base claims.

III. Rejection under 35 U.S.C. § 102

Claims 1, 2, and 11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,115,927 to Hendrix. Claim 1 has been amended to incorporate limitations from claim 3, which subject matter the Examiner indicated was allowable. Accordingly, Applicant

respectfully submits that the rejection to claim 1 is overcome by the amendment. Claim 2 depends on claim 1 and should be patentable for at least the same reasons as claim 1.

Claim 11 has been amended to incorporate limitations from claim 12, which subject matter the Examiner indicated was allowable. Accordingly, Applicant respectfully submits that amended claim 11 is patentable over the Hendrix patent.

IV. Rejection under 35 U.S.C. § 103

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,115,927 to Hendrix, in view of U.S. Patent No. 6,256,894 to Naruse *et al.* Claim 8 is dependent on claim 1, and should be patentable for at least the same reasons as amended claim 1. Accordingly, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

V. Allowable Subject Matter

Applicant acknowledges with gratitude the indication that the subject matter of claims 3-7, 9, 10, and 12-14 is allowable. The subject matter of claim 3 has been incorporated into independent claim 1. The subject matter of claim 12 has been incorporated into independent claim 11.

CONCLUSION

Claims 1, 2, 4-11, and 13-18 are pending in this application. Claim 14 stands objected to for insufficient antecedent basis in the language of the claim. Claims 2 and 4-7 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 1, 2, and 11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,115,927 to Hendrix. Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendrix, in view of U.S. Patent No. 6,256,894 to Naruse *et al.* The subject matter of claims 3-7, 9, 10, and 12-14 has been indicated to be allowable. By this amendment, claims 3 and 12 have been cancelled, claims 1, 2, 4, 5, 11, and 14 have been amended, and claims 15-18 have been added. No new matter has been added.

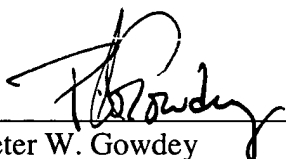
Applicants respectfully request allowance of the pending claims in light of the amendments and the above remarks.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version With Markings to Show Changes Made."

The Commissioner is hereby authorized to charge any additional fees that are required or credit any overpayment to Deposit Account No.19-2112 referencing NOHE.84679.

Respectfully submitted,

Dated: July 16, 2003



Peter W. Gowdey
Reg. No. 25,872

SHOOK, HARDY & BACON L.L.P.
600 14th Street, NW
Suite 800
Washington, DC 20005-2004
Phone: (202)783-8400
Fax: (202)783-4211



VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Claims 1, 2, 4, 5, 11 and 14 have been amended as follows:

1. (Twice Amended) A chassis measuring apparatus for a vehicle, including
a vehicle lift platform for reversibly lifting a vehicle to be measured,
a lifting drive for the vehicle lift platform,

an axle measuring unit for measuring parameters of an axle of the vehicle
an axle measurement lifting device adjacent an end of the vehicle lift platform, the
axle measurement lifting device for reversibly lifting the axle measuring unit, the
measurement lifting device comprising at least first and second lifting stages, [and]
means for actuating the lifting stages reversibly independently of each other,
a lifting drive for the second lifting stage of the axle measurement lifting device,

and

means for a synchronous displacement of the lifting drive for the vehicle lift
platform and of the lifting drive for the second lifting stage of the axle measurement lifting
device.
2. (Once Amended) A chassis measuring apparatus as set forth in claim 1
wherein the axle measurement [lifting device] unit is arranged on the first lifting
stage.
4. (Once Amended) A chassis measuring apparatus as set forth in claim [3] 1
including

a lifting drive for the first lifting stage of the axle measurement lifting device, and
means for reversibly actuating the lifting drive for the first lifting [drive] stage
independently of the drives of the second lifting stage and the vehicle lift platform.
5. (Once Amended) A chassis measuring apparatus as set forth in claim [3] 1
wherein the drives of the vehicle lift platform and at least the second lifting stage
of the axle measurement lifting device each comprise at least one respective piston-cylinder unit.

RECEIVED
JUL 21 2008
TECHNOLOGY CENTER 2800

11. (Twice Amended) A method of chassis measurement of a vehicle with a chassis measuring apparatus which comprises a vehicle lift platform with which a vehicle to be measured can be reversibly lifted and an axle measurement lifting device adjacent an end of the vehicle lift platform, wherein the axle measurement lifting device is operable to reversibly lift an axle measuring device, the method comprising:

carrying out a measuring operation after the vehicle to be measured has been driven on to the vehicle lift platform and after [at least vertical alignment of] aligning an axle measuring unit of the axle measurement lifting device with a portion of the vehicle by vertically displacing the axle measurement lifting device by a first lifting stage,

lifting the vehicle with the vehicle lift platform when a necessary chassis adjustment is detected by the measuring operation, and

[vertically displacing the axle measurement lifting device by means of a first lifting stage for vertical adjustment of the axle measuring unit and]when the vehicle lift platform is raised, following the movement of the vehicle lift platform with the axle measuring unit by means of a second lifting stage, wherein the second lifting stage of the axle measurement lifting device is raised synchronously with the vehicle lift platform.

14. (Once Amended) A method as set forth in claim 11

wherein the axle measurement lifting device can be lowered in an inoperative condition thereof into a recess in [the] a foundation of the chassis measuring apparatus in such a way that the upper end of the axle measurement lifting device is at least substantially aligned with the support surface for the vehicle to be measured when the vehicle lift platform is lowered.